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CO-ORDINATING COMMITTEE

5. List Policy
General

Redefinition Proposal for Item 1635 (b): Nickel
Bearing Steels

Memorandum from the United Kingdom Delegation

Ref. COCOM documents: 3416.35/3
3416.00/1

1. The definition for nickel bearing steels in the present embargo list (Doc. 3300) reads :-

1635 (d) Nickel bearing steels, n.e.s. containing a total of 35% or more of alloying elements.

2. The revised definition which it was agreed should come into force on the 15th April, if none of the Member Governments had raised an objection before that date (COCOM Document 3416.35/3), paras. 7-9, in conjunction with Document 3416.00/1) reads :

1635 (b) Nickel bearing steels n.e.s. containing a total of 32% or more of alloying elements except such steels containing less than 0.4% titanium or niobium-tantalum.

3. This revision, which was made as a result of a proposal from the United Kingdom delegation as amended by a Memorandum from the German delegation (COCOM Document 3016.35/2) has already been very fully discussed. Unfortunately, owing to the protracted nature of these discussions one aspect of the matter to which the United Kingdom authorities attach considerable importance appears to have been overlooked. That is the basis on which the 32% is to be calculated. In the manufacture of all alloys certain tolerances have to be allowed and in the nickel steel group, where it is common practice to use a number of elements, each of which has its own tolerance, the total of these elements in any particular specification can vary quite a lot. An 18/8 type of stainless steel which it was never the intention to embargo can for example have manufacturing tolerances ranging from 27% to 34% for the total alloying elements. It was for this reason that the United Kingdom delegation suggested on July 2, 1958, that the following note should be added :-

"The figure of 32% refers to the minimum percentage of alloying elements necessary to give the alloy its required properties an upward tolerance to take account of variations in manufacture may be permitted". (COCOM Document 3016.00/1)

This note appears to have been acceptable to all delegates at the meeting on July 30, 1958, (COCOM Document 301600/3) but because of disagreement on the percentage itself no progress was made at that time and when much later the matter was rediscussed the question of how the 32% was to be calculated was not pursued.

4. Another aspect of the definition which is giving rise to difficulties concerns what is to be regarded as an "alloying element". Alloying is the addition to a metal of one or more different

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elements in order to form an alloy (Chambers Technical Dictionary). There seems little doubt that in a nickel bearing steel nickel, chromium, and molybdenum are alloying elements since they are clearly added for alloying purposes, while on the other hand phosphorus and sulphur are clearly "impurities" and are not alloying elements. Between these extremes the position is not so clear; high carbon may be undesirable in certain classes of heat resisting, and stainless steels and titanium, niobium and tantalum may be regarded as stabilising elements rather than as alloying elements. The position of Silicon and Manganese is even more difficult; they appear in the steel making process but on the other hand, they can on occasions be added for alloying purposes.

5. It is important that this aspect is fully appreciated and that a uniform basis of definition for materials to be embargoed is adopted. For example an 18/8 type of stainless steel which is used largely for civilian purposes should not be subject to embargo as a result of differences in interpretation of the definition.

6. The United Kingdom delegation do not necessarily press for the acceptance of the note proposed in July 1958 for the calculation of the 32% cut-off as they appreciate that the use of minimum figures with unspecified tolerances would lead to abuse by traders wishing to avoid the control. They emphasise that the cut-off points should be such that the control cannot be frustrated by suppliers keeping to the lower tolerances and thereby permitting the release of steels which ought properly to be subject to embargo. The United Kingdom authorities therefore feel that rather than proceed with the proposals to work to minimum specifications the original figure of 35% of alloying elements should be restored. The 35% cut-off must not be exceeded to take account of manufacturing or other tolerances. It is also suggested that a note be inserted stating that for the purpose of this definition carbon, silicon, manganese, sulphur, phosphorus, titanium, niobium and tantalum are not regarded as alloying elements.

United Kingdom Delegation,
Paris.

April 15, 1959

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